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April 4, 2024

VIA ECF

Honorable Rukhsanah L. Singh, U.S.M.J
United States District Court
Clarkson S. Fisher Building & US Courthouse
402 East State Street
Trenton, NJ 08608

Re: *In re: Johnson & Johnson Talcum Powder Products, Marketing, Sales Practices, and Products Liability Litigation*
Case No.: 3:16-md-02738-MAS-RLS

Dear Judge Singh:

Pursuant to the Court's request for bi-monthly report, the parties jointly offer the following updates on recent activities in the MDL:

Expert Depositions:

- The depositions of plaintiffs' experts, Drs. McTiernan, Clarke-Pearson, Rigler, Cote, Moorman, Smith Bindman, Siemiatycki, Sage, Godleski (2 hours remaining) have been conducted.
- The following plaintiffs' experts are scheduled to be deposed in accordance with the following schedule: Dr. Singh (April 4th), Dr. Kessler (April 8th), Dr. Harlow (April 9th), Dr. Wolf (April 25th), Dr. Longo (May 2-3), Dr. Newman (May 15th) and Dr. Levy (May 8th).

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Plaintiffs' Motion to Quash the Subpoena Directed at KCIC, Inc.:

- Plaintiffs have filed a letter dated April 2, 2024 withdrawing the March 15th motion to seal the KCIC privilege log.

Defendants' Motion to Quash the Subpoena to PwC:

- On March 28th J&J Defendants filed their brief in support of the motion to quash the PwC subpoena and the reply brief, motion and supporting certifications (Dkt. No.30390). The Court referred the motion to Special Master Hon. Joel Schneider on March 28th (Dkt. No. 30319).

Case Management Order CMO 9 (Substitution of Parties):

- On March 6th, J&J Defendants filed their global response to the CMO 9 notices of inability to substitute filed by over 900 plaintiffs. On March 23rd Plaintiffs filed their response and proposed order governing management of these cases. The parties are currently meeting and conferring over a proposed order.

Bellwether Discovery Responses:

- On April 1, 2024, Plaintiffs served responses to the Defendants' Requests for Admissions, Production Requests and Interrogatories on the six Bellwether plaintiffs. The parties continue to meet and confer on the adequacy of the responses.

Daubert Status:

- On March 27, 2024, Judge Michael A. Shipp ordered that based upon Federal Rule of Evidence 702, the emergence of new relevant science, and the language of Chief Judge Wolfson's previous Daubert Order that a full re-filing of Daubert motions shall be filed by July 23, 2024 and oppositions shall be filed by August 22, 2024. No replies shall be permitted.
- Today, April 4, 2024, Plaintiffs filed a Motion for Reconsideration of Judge Shipp's March 27, 2024 Text Order (ECF No. 31080).

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Plaintiff Profile Forms:

- On April 1, 2024, pursuant to the Case Management Order entered on February 13, 2024, Defendants filed lists of cases that are non-compliant with respect to case-specific fact discovery and Plaintiff Profile Forms (Dkt. No. 30612).

Depositions on Written Questions

- On April 2, the Defendants served subpoenas for depositions upon written questions pursuant to FRCP 31 and 45 on mediators Gary J. Russo, Esq. (Dkt. 30858), Eric D. Green, Esq. (Dkt. 30859) and Fouad Kurdi, Esq. (Dkt. 30860).

Status of New Jersey Proceedings Before Judge Porto:

- The Hearing on the Motion for Disqualification was conducted on March 25, 2025 and continued to April 10, 2024.
- On April 2, 2024, Judge Porto entered Case Management Order 20 setting forth the Parties' agreement to coordinate expert depositions between the MDL and the MCL including the time limits for such depositions.

Thank you for your courtesies in this regard.

Respectfully submitted,

s/ P. Leigh O'Dell

P. Leigh O'Dell

s/ Michelle A. Parfitt

Michelle A. Parfitt

Plaintiffs' Co-Lead Counsel

cc: Susan Sharko, Esq. (via email)
All Counsel (via ECF)